

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CWP NO. 35244 OF 2019
DATE OF DECISION : 04.12.2019**

Rajeev Kumar

...Petitioner

versus

State of Punjab and others

...Respondents

AND

CWP NO. 35257 OF 2019

Simrat Singh

...Petitioner

versus

State of Punjab and others

...Respondents

AND

CWP NO. 35259 OF 2019

Daya Kumar

...Petitioner

versus

State of Punjab and others

...Respondents

AND

CWP NO. 35261 OF 2019

Pritam Singh

...Petitioner

versus

State of Punjab and others

...Respondents

AND

CWP NO. 35263 OF 2019

Dharamvir Singh

...Petitioner

versus

State of Punjab and others

...Respondents

AND

CWP NO. 35265 OF 2019

Gurpartap Singh

...Petitioner

versus

State of Punjab and others

...Respondents

AND

CWP NO. 35266 OF 2019

Balwinder Singh

...Petitioner

versus

State of Punjab and others

...Respondents

AND

CWP NO. 35267 OF 2019

Jaswinder Singh

...Petitioner

versus

State of Punjab and others

...Respondents

AND

CWP NO. 35269 OF 2019

Shabnam Saini

...Petitioner

versus

State of Punjab and others

...Respondents

AND

CWP NO. 35274 OF 2019

Deepak Kapoor

...Petitioner

versus

State of Punjab and others

...Respondents

AND

CWP NO. 35275 OF 2019

Cham Kaur Singh

...Petitioner

versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Ashish Sharma, Advocate,
for the petitioner(s).

Mr. P. S. Bajwa, Addl. AG, Punjab and
Ms. Monica Chhibber Sharma, Sr. DAG, Punjab.

ARUN MONGA, J.(ORAL)

Vide this common order, above mentioned bunch of petitions are being disposed of as similar relief based on common facts involved therein has been sought. For reference facts are being taken from CWP No. 35244 of 2019.

2. The petitioner joined service as Patrolman on 01.01.1997, but was later assigned the work of Bill Clerk, due to shortage of staff and has been working as such, with effect from 01.01.2001. Meanwhile, services of the petitioner were

regularized as Patrolman with effect from 24.05.2011. Subsequent thereto, Superintending Engineer, vide its letter dated 03.12.2014, recommended the promotion of petitioner as Bill Clerk, keeping in view that he has been working as such for long period of time, though due to shortage of staff. The petitioner is aggrieved as to why apart from not being regularized/promoted to the post of Bill Clerk, he has not been paid the salary equivalent to the post held by him. The petitioner also relied on decision rendered by this Court in CWP No. 8739 of 2000, wherein similarly situated employee had approached this Court and pursuant thereto, he was granted minimum pay-scale and dearness allowance of the post of Bill Clerk, as prescribed under the Rules.

3. The petitioner(s) has, inter-alia, sought issuance of a writ in the nature of mandamus directing the respondents to decide the representation dated 01.01.2019 (Annexure P-1).

2. Notice of motion.

3. On advance service of copy of petition, Mr. P. S. Bajwa, Additional Advocate General, Punjab and Ms. Monica Chhibber Sharma, Senior Deputy Advocate General, Punjab, have put in appearance on behalf of respondent-State.

4. Given the nature of order being passed, there is no necessity to seek return by any of the respondents as no further proceedings and/or pleadings are required.

5. Without commenting on the merits of the case, all the above mentioned writ petitions are disposed of with a direction to the respondent(s) to objectively consider the representation(s) dated 01.01.2019 (Annexure P-1) and also by keeping in view the contentions stated in the present writ petition by treating it as a supplementary representation and pass a speaking order, in accordance with law. The competent authority of the respondents is at liberty to pass common order qua all these petitioners.

6. Let the needful be done within a period of three months from the date of receipt of a certified copy of this order.

7. All the writ petitions stand disposed of in above terms.

(ARUN MONGA)
JUDGE

DECEMBER 04, 2019
shalini

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No